

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-52333-2022 (O&M)
Date of decision: 12.12.2022

Malkiat Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Sanjay Jain, Advocate
for the petitioner.

Mr. Gurbir S. Dhillon, AAG, Haryana.

ARVIND SINGH SANGWAN, J.

The petitioner has prayed for quashing of FIR No.136 dated 16.02.2020 for the offences punishable under Section 174-A of the Indian Penal Code ('IPC' for short), registered at Police Station Mahesh Nagar, District Ambala and all the subsequent proceedings arising therefrom.

On 14.11.2022, following order was passed by this Court: -

“...Learned counsel for the petitioner submits that in fact, four complaints were filed by the complainant, out of which, three complaints were dismissed as withdrawn in view of the compromise. It is further submitted that the petitioner was under the impression that all the four complaints have been

withdrawn, therefore, he was declared a proclaimed person vide order dated 22.07.2019. It is also submitted that proceedings under Section 174-A IPC in such circumstances are nothing, but misuse of process of law.. ”

Learned counsel for the petitioner submits that in compliance of the aforesaid order, the petitioner has already appeared before the trial Court and he has been released on bail.

Learned State counsel has not disputed the aforesaid factual position.

In view of the above, present petition is allowed and FIR No.136 dated 16.02.2020 under Section 174-A of the Indian Penal Code ('IPC' for short), registered at Police Station Mahesh Nagar, District Ambala and all the subsequent proceedings arising therefrom, are ordered to be quashed.

[ARVIND SINGH SANGWAN]
JUDGE

12.12.2022
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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No